

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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ELIZABETH LISSER and LONNIE LISSER

Plaintiff(s),

-against-

BLOOMBERG L.P. and  
BRIAN SCHULER,

Defendant(s).

Index #  
Plaintiff(s) designates  
:  
: NEW YORK  
: County as the place of trial  
:  
: The basis of the venue is  
: Defendant's Business  
:  
: SUMMONS  
:  
:  
: Plaintiff(s) reside(s) at  
: 904 Horizon Drive,  
Stroudsburg, PA .  
:  
:  
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TO the above named Defendant(s)

YOUR ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after service is complete if this summons is not personally delivered to you within the State of New York); and in case your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: June 1, 2016  
Bronx, New York

COIRO, WARDI, CHINITZ & SILVERSTEIN  
Attorneys(s) for Plaintiff(s)  
1206 Castle Hill Avenue  
Bronx, NY 10462  
(718) 824-6500

Notice: The object of this action is personal injuries and damages as the result of sexual harassment, retaliation and wrongful termination.

The relief sought is money damages.

DEFENDANTS' ADDRESS:

BLOOMBERG L.P.  
BRIAN SCHULER  
731 Lexington Avenue  
New York, NY 10022

ELIZABETH LISSER and LONNIE LISSER,

Plaintiff(s),

-against-

BLOOMBERG L.P. and  
BRIAN SCHULER,

Defendant (s) .

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:VERIFIED COMPLAINT  
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:Plaintiff Demands  
:Trial By Jury

Plaintiffs complaining of the defendants by their attorneys, COIRO, WARDI, CHINITZ & SILVERSTEIN, respectfully show to this Court and allege, upon information and belief, the following:

1. Plaintiffs are and at all times referred to herein were residents of the State of Pennsylvania.

2. That at all times hereinafter mentioned, the Defendant, BLOOMBERG L.P., was and still is a limited partnership duly organized and existing under and by virtue of the laws of the State of New York, and maintaining offices in the State of New York and County of New York.

3. That at all times the occurrences complained of herein were committed, Plaintiff ELIZABETH LISSER was employed by Defendant BLOOMBERG L.P. at its offices located at 120 Park Avenue, New York, NY. She is currently no longer employed there.

4. The acts of which Plaintiff complains herein were all committed while she was employed by BLOOMBERG L.P. and while Plaintiff belonged to a group protected against such acts.

5. Upon information and belief, Defendant BLOOMBERG L.P. conducts business as a financial software, data and media company.

6. Upon information and belief and during the period in which the conduct complained of herein took place, BRIAN SCHULER was employed by defendant BLOOMBERG L.P., as a Team Leader in the Accounts Payable Department.

7. Upon information and belief, BRIAN SCHULER was employed by Defendant BLOOMBERG L.P., at all times when the occurrences complained of herein were committed.

8. Upon information and belief, at all relevant times, BRIAN SCHULER was the Manager of Plaintiff at BLOOMBERG L.P.

9. Upon information and belief, at all relevant times BRIAN SCHULER had and exercised managerial responsibility at BLOOMBERG L.P. over Plaintiff.

10. Upon information and belief, at the times referred to herein, Defendant BLOOMBERG L.P., had the authority to control the nature of the employment relationship of the Plaintiff with BRIAN SCHULER, to supervise the Plaintiff, to authorize work assignments, promotions, raises, and the power to hire and fire the Plaintiff.

11. Upon information and belief, at all relevant times, BRIAN SCHULER within the scope of his employment, had the authority to supervise and/or manage the Plaintiff in her employment, to authorize work assignments, promotions, raises, and the power to hire and fire the Plaintiff.

12. This is an action arising out of Defendants' sexual harassment of Plaintiff and subsequent retaliation against her for opposing the unlawful sexual harassment, in violation of the New York State Human Rights Law, New York Executive Law, §296 et. seq., and the New York City Human Rights Law, New York Administrative Code, §8-1.07 et seq.

13. During a significant part of her employment with Defendant BLOOMBERG L.P., Plaintiff, ELIZABETH LISSER, was the victim of a continuous pattern of unwelcome sexual harassment and retaliation committed by

BRIAN SCHULER while he was in a supervisory capacity. This harassment was so severe and pervasive that it created an abusive, hostile, intimidating and offensive work environment, as well as affecting the terms and conditions of Plaintiff's employment.

14. The conduct of BRIAN SCHULER, which was condoned by Defendant BLOOMBERG L.P., was so egregious to Plaintiff that her work environment became pervasively hostile, and caused Plaintiff severe physical, mental and emotional injury and distress, all in violation of the various statutes referred to herein and upon which certain of the claims asserted herein are based.

15. As a result of BRIAN SCHULER's sexual harassment and retaliation against the Plaintiff, she was unable to carry on her work in an atmosphere free of fear, hostility, humiliation and intimidation and in retaliation for complaining of same, Defendant forced Plaintiff to terminate her employment.

16. Plaintiff was hired by Defendant BLOOMBERG L.P. on or about December of 2001, as a clerk in the Accounts Payable Department.

17. In 2012 BRIAN SCHULER, became the Team Leader of Team B in the Accounts Payable Department

BRIAN SCHULER while he was in a supervisory capacity. This harassment was so severe and pervasive that it created an abusive, hostile, intimidating and offensive work environment, as well as affecting the terms and conditions of Plaintiff's employment.

14. The conduct of BRIAN SCHULER, which was condoned by Defendant BLOOMBERG L.P., was so egregious to Plaintiff that her work environment became pervasively hostile, and caused Plaintiff severe physical, mental and emotional injury and distress, all in violation of the various statutes referred to herein and upon which certain of the claims asserted herein are based.

15. As a result of BRIAN SCHULER's sexual harassment and retaliation against the Plaintiff, she was unable to carry on her work in an atmosphere free of fear, hostility, humiliation and intimidation and in retaliation for complaining of same, Defendant forced Plaintiff to terminate her employment.

16. Plaintiff was hired by Defendant BLOOMBERG L.P. on or about December of 2001, as a clerk in the Accounts Payable Department.

17. In 2012 BRIAN SCHULER, became the Team Leader of Team B in the Accounts Payable Department

and therefore manager of the Plaintiff, ELIZABETH LISSER. Since that time and continuing through April of 2014, BRIAN SCHULER continually harassed and discriminated against the Plaintiff during the course of her employment.

18. That throughout the course of 2013, BRIAN SCHULER continually directed sexual innuendo and comments towards plaintiff about her figure, weight and appearance, massaged her shoulders, looking down her blouse, as well as directing texts to her about female co-employees such as the appearance of their breasts or who they were sleeping with.

19. Beginning in October of 2013, plaintiff made complaints to the Human Resources Department and showed them the texts. The matter was investigated by Aline Cabral Tedesco and Simon Chiu and meetings were conducted with BRIAN SCHULER.

20. Thereafter, because of the complaints, BRIAN SCHULER harassed the Plaintiff by criticizing her work in front of co-employees, acting in a degrading manner and embarrassing her and forcing her to perform his personal work on top of her own duties. These complaints were also made known to Aline Tedesco and Simon Chiu and further meetings were conducted with BRIAN SCHULER in December of 2013 in which he was warned against acts of

retaliation. However he continued these actions into 2014 despite the warnings and told the plaintiff in April of 2014 that "she was going down." Plaintiff was advised by Aline Tedesco that the investigations were ongoing and she should be more professional and keep her emotions in check.

21. That on or about April 8, 2014, BRIAN SCHULER spoke to Plaintiff in an extremely demeaning manner with his voice raised in front of a co-worker. Plaintiff was becoming physically ill and Aline Tedesco ordered a car service to take her home. BRIAN SCHULER escorted her out of the building and spoke to her in a threatening tone, saying that "if you think that little slap on the wrist that I got from Aline was going to make this go away, you only dug your grave deeper." Thereafter plaintiff was forced to hand in her resignation.

22. The continuous conduct of BRIAN SCHULER complained of herein was gender based and/or sexual in nature, including verbal and physical conduct that was unwelcome to the plaintiff. This had the effect of pervasively interfering with plaintiff's work performance, thereby creating an intimidating, frightening, abusive, hostile and offensive work environment.

23. Defendant BLOOMBERG L.P., failed to create or enforce a program against sexual



harassment at the time when Plaintiff was employed at said business, failed to act upon the complaints made by plaintiff of such harassment and failed to act upon and/or prevent the retaliation which resulted.

24. At all times relevant herein, Defendant BLOOMBERG L.P., maintained no recognized or known system for review of its employee's complaints of sexual harassment by supervisory and/or other personnel, including co-employees, nor did it maintain a method of alerting employees that sexual harassment in any form would not be tolerated.

25. The conduct of BRIAN SCHULER, subsequent warning by the defendant, BLOOMBERG L.P., its agents, servants and/or employees and forced termination of employment amounted to retaliation as a result of a complaint which was made against BRIAN SCHULER.

26. As a result of Plaintiff's failure to accept and/or respond to BRIAN SCHULER's unwelcome sexual conduct, innuendoes, comments, remarks, requests, etc., she was denied equal terms and conditions of employment, promotional opportunities, salary increases, educational opportunities and/or other benefits at her place of employment with Defendant BLOOMBERG L.P., as well as working

in a hostile environment all of which resulted in constructive termination from her employment.

27, As a result of the continued harassment and retaliation by defendant BRIAN SCHULER and the failure to remedy the situation by defendant BLOOMBERG L.P., plaintiff underwent a great deal of tension and stress which resulted in severe emotional distress and psychological damage for which she sought professional care and treatment which continues to date.

AS AND FOR A FIRST CAUSE OF ACTION:  
SEXUAL HARASSMENT IN VIOLATION OF THE  
NEW YORK STATE HUMAN RIGHTS LAW

28. Plaintiff repeats, reiterates and realleges each and every allegation contained in the within complaint in paragraphs designated "1" through "27" inclusive, with the same force and effect as though more fully set forth herein at length.

29. At the time all the occurrences complained of herein were committed, Plaintiff was in the employ of Defendant BLOOMBERG L.P. and belonged to a group protected against such acts.

30. The hostile, offensive work environment created by Defendant unlawfully interfered with

Plaintiff's work performance and thereby altered the terms, conditions and privileges of her employment.

31. The aforementioned acts of Defendant constitute unlawful discrimination against Plaintiff because of her gender/sex in violation of Section 296 et. seq. of the New York Executive Law, which states that it shall be unlawful to discriminate against such individual in compensation or in terms, conditions or privileges of employment, as well as being unlawful for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under the Article, or attempt to do so.

32. By reason of the foregoing, and as a direct and proximate result thereof, Plaintiff has been damaged by Defendants and has lost wages and career opportunities, as well as suffering severe and continuing mental and emotional distress, and has incurred the costs of this action.

AS AND FOR A SECOND CAUSE OF ACTION:  
RETALIATION IN VIOLATION OF THE  
NEW YORK STATE HUMAN RIGHTS LAWS

33. Plaintiff repeats, reiterates and realleges each and every allegation contained in the within complaint in paragraphs designated "1" through "32"

inclusive, with the same force and effect as though more fully set forth herein at length.

34. In retaliating against Plaintiff for opposing acts that violated the Human Rights Laws, Defendants violated the New York State Human Rights Laws, including New York Executive Law §296(3-a)(c), 296(6) and 296(7).

35. By reason of the foregoing, Plaintiff has lost wages, lost promotional and career opportunities, has suffered severe and continuing mental and emotional distress and has incurred the costs of this action.

AS AND FOR A THIRD CAUSE OF ACTION:  
SEXUAL HARASSMENT IN VIOLATION OF  
THE NEW YORK CITY HUMAN RIGHTS LAW

36. Plaintiff repeats, reiterates and realleges each and every allegation contained in the within complaint in paragraphs designated "1" through "35" inclusive, with the same force and effect as though more fully set forth herein at length.

37. At the times all the occurrences complained of herein were committed, Plaintiff was in the employ of Defendant and belonged to a group protected against such acts.

38. At all times relevant to the complaint, Plaintiff was an Employee within the meaning of the New York City Human Rights Laws.

39. Upon information and belief, Defendant was and is an Employer within the meaning of the New York City Human Rights Laws.

40. Defendant's condonation and acquiescence to sexual harassment of the Plaintiff and the hostile, offensive work environment unlawfully interfered with Plaintiff's work performances and thereby altered the terms, conditions and privileges of her employment.

41. In unlawfully discriminating against Plaintiff because of her sex and discriminating against her in compensation or in terms, conditions or privileges of employment, as well as it being unlawful to aid abet, incite, compel or coerce the doing of any of the acts forbidden under such law, Defendant violated the New York City Human Rights Laws, including New York City Administrative Code, Chapter I, Title 8, §8-107(1)(a), 8-107(6) and 8-107(13).

42. By reason of the foregoing, and as a direct and proximate result thereof, Plaintiff has been

damaged by Defendant and has lost wages and career opportunities, as well as suffering severe and continuing mental and emotional distress, and has incurred the costs of this action.

AS AND FOR A FOURTH CAUSE OF ACTION:  
RETALIATION IN VIOLATION OF THE  
NEW YORK CITY HUMAN RIGHTS LAWS

43. Plaintiff repeats, reiterates and realleges each and every allegation contained in the within complaint in paragraphs designated "1" through "42" inclusive, with the same force and effect as though more fully set forth herein at length.

44. In retaliating against Plaintiff for opposing acts that violated the Human Rights Laws, Defendants further violated the New York City Human Rights Law, New York City Administrative Code, Chapter I, Title 8 §8-107)(6) and (7).

45. By reason of the foregoing, Plaintiff has lost wages, lost promotional and career opportunities, has suffered severed and continuing mental and emotional distress and has incurred the costs of this action.

WHEREFORE, Plaintiff demands judgment and damages against Defendant as follows:

1) On the First Cause of Action: Compensatory damages in an amount to be determined, but which is in excess of ONE MILLION (\$1,000,000.00) DOLLARS.

2) On the Second Cause of Action: Compensatory damages in an amount to be determined, but which is in excess of ONE MILLION (\$1,000,000.00) DOLLARS.

3) On the Third Cause of Action: Compensatory damages in an amount to be determined, but which is in excess of ONE MILLION (\$1,000,000.00) DOLLARS and in addition, FOUR MILLION (\$4,000,000.00) DOLLARS in punitive damages.

4) On the Fourth Cause of Action: Compensatory damages in an amount to be determined, but which is in excess of ONE MILLION (\$1,000,000.00) DOLLARS and in addition, FOUR MILLION (\$4,000,000.00) DOLLARS in punitive damages.

5) On each cause of action, the costs and expenses of this action, including reasonable attorney's fees, and such other and further relief as this Court deems just and proper.

Dated: Bronx, New York  
June 1, 2016

Yours, etc.,

COIRO, WARDI, CHINITZ & SILVERSTEIN  
Attorneys for Plaintiff(s)  
1206 Castle Hill Avenue  
Bronx, NY 10462  
(718) 824-6500

The undersigned, being an attorney duly admitted to practice in the Courts of this State, affirms the following to be true under the penalty of perjury:

That he is an attorney associated with the attorneys for the plaintiff(s) herein, and has read the foregoing Verified Complaint and knows the contents thereof. That the same is true to his own knowledge except as to the matters therein stated to be alleged on information and belief, and as to those matters he believes them to be true.

Affirmant further certifies that to the best of his knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of this document or the contentions contained therein are not frivolous as defined in subsection (c) of Section 130-1.1 of the Rules of the Chief Administrator.

This affirmation is made by the attorney inasmuch as plaintiffs do not reside in the county where our office is located.

Dated: Bronx, NY  
June 1, 2016

  
MICHAEL A. CHINITZ